

**To:** Phil Hardy[philh@strategies360.com]  
**From:** Bangerter, Layne  
**Sent:** Fri 5/12/2017 3:13:30 PM  
**Subject:** FW: Politico: Pebble Mine can apply for permit in deal with EPA, 5/12/17

**From:** McGonagle, Kevin  
**Sent:** Friday, May 12, 2017 9:30 AM  
**To:** AO OPA OMR CLIPS <AO\_OPA\_OMR\_CLIPS@epa.gov>  
**Subject:** Politico: Pebble Mine can apply for permit in deal with EPA, 5/12/17

### **Politico**

<https://www.politicopro.com/energy/story/2017/05/pebble-mine-developer-epa-strike-deal-to-move-forward-with-permitting-156775>

### **Pebble Mine can apply for permit in deal with EPA**

By Alex Guillen 5/12/17 8:45 AM

EPA has agreed to drop its efforts to preemptively block the planned Pebble Mine in Alaska as part of a deal struck with the mine's developer to end a long-running lawsuit.

The agreement will allow Pebble Limited Partnership to apply for a permit from the Army Corps of Engineers for the mine before EPA continues any work reviewing water issues in the area. Pebble sued in 2014 after the Obama administration proposed restrictions that would have effectively denied that permit before the developer even applied.

“We are committed to due process and the rule of law, and regulations that are 'regular,’” EPA Administrator Scott Pruitt said in a statement. “We understand how much the community cares about this issue, with passionate advocates on all sides. The agreement will not guarantee or prejudice a particular outcome, but will provide Pebble a fair process for their permit application and help steer EPA away from costly and time-consuming litigation. We are committed to listening to all voices as this process unfolds.”

EPA’s previous environmental studies of the Bristol Bay region indicated that any large-scale mining efforts would prove too dangerous to the ecosystem. The agency then proposed restrictions that would have made it virtually impossible for Pebble Mine to get a permit it needs to dump waste in nearby waterways, but a judge in 2014 blocked EPA from finalizing that

decision after the developer sued.

That lawsuit will end under the deal as EPA starts the process over.

Pebble Mine, which would produce copper, gold, molybdenum and silver, has attracted fierce opposition from a number of local Native tribes and sportsmen's groups, as well as environmentalists, over concerns that it could damage Bristol Bay, home to the biggest sockeye salmon fishery in the world. In a recent letter to EPA Administrator Scott Pruitt, a coalition of Pebble Mine opponents urged him not to reverse course on Pebble Mine, which they said "poses fundamental risks to the salmon fisheries of the region and the economic and subsistence benefits those fisheries provide."

In a release, Pebble thanked Pruitt and President Donald Trump "for their commitment to the rule of law, and the fair and equal treatment of those who would invest in job-creating industries in America."

Pebble CEO Tom Collier said that the project will be smaller than previously anticipated, "with demonstrable environmental protections" and several initiatives making the mine "more responsive to the priorities and concerns of Alaskans."

Under the terms of the deal with Pebble Limited Partnership, EPA will withdraw its proposed restrictions and stop further water-quality studies for at least four years or until the Army Corps of Engineers issues its final environmental impact statement, whichever comes first. At that point, the agency will start a new review process, abandoning the previous proposal that would have effectively blocked the mine. But the deal allows EPA to "use its scientific assessment regarding the Bristol Bay Watershed without limitation," according to the agency.

Pebble has until around November 2019 to apply for its permit, depending on when the court approves the settlement.

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